

Minutes Excerpt

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City Hall, City of Lodi,
Monday April 2nd, 1923.

This being the date set in Resolution of Intention No. 61 for the hearing of protests against the work ordered on Hutchins and Walnut Streets, and the Clerk reporting that no protests had been filed, the Board proceeded with the improvement by the passage of Resolution No. 390 by the following vote:-
Ayes: Hale Spooner, Hickok, Mettler and Shattuck.
Noes: None
Absent: None.

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RESOLUTION NO. 390.
RESOLUTION ORDERING WORK

HUTCHINS AND WALNUT STREETS.

RESOLVED, that whereas the Board of Trustees of the City of Lodi, did on the 19th day of March, A. D. 1923, pass its Resolution of Intention No. 61, to order the hereinafter described work to be done and improvement to be made in said City, which Resolution of Intention was duly and legally published as required by law, as appears from the affidavit of publication in "The Lodi News", made by Delmar B. Rinfret, now on file in the office of the City Clerk of said City of Lodi; and whereas, notices of the passage of said Resolution of Intention No. 61, headed "Notice of Improvement" were duly and legally posted along the line of said contemplated work and improvement and in front of all the property liable to be assessed therefor, and on each and every street and highway in the assessment district described in said resolution of intention, in time, form, manner and number as required by law, after the passage of said Resolution of Intention, as appears from the affidavit of F. CHRISTENSEN, who personally posted the same, and who, upon the completion of the posting of said notices, filed said affidavit in the office of said City Clerk, making oath that he completed the posting of said notices on the 26th day of March, A. D. 1923; and whereas, no protests or objections in writing or otherwise to the proposed work, or against the extent of the proposed district, have been delivered to, or presented to, or filed with the Clerk of

this Board of Trustees of said City of Lodi, up to the hour set for hearing protests as set forth in said Resolution of Intention, and this Board of Trustees having now acquired jurisdiction to order the proposed improvement, it is hereby,-

RESOLVED, that the public interest and convenience require the work herein described and the Board of Trustees of the City of Lodi hereby order the following work to be done and improvement to be made in said City, to-wit:-

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That Hutchins Street in said City of Lodi, from the South line of Lockeford Street to the north line of Locust Street, and from the south line of Locust Street to the north line of Elm Street, and from the south line of Elm Street to the north line of the Sargent Road, and Walnut Street in said City of Lodi, from the west line of Hutchins Street to the east line of Rose Street, and from the west line of Rose Street to a line distant 132.5 feet west of and parallel to the west line of Crescent Avenue (formerly known as West Street), as said Crescent Avenue is shown upon that certain map entitled "Hutchins Home-stand Add'n." filed in the office of said portions of Hutchins Street and the County Recorder of San Joaquin County, California, September 13, 1922, and recorded in Vol. 10 of Maps of 1922, and recorded in Vol. 10 of Maps of 1922, at page 60, therein, BE IMPROVED:

(1) By grading the roadway and half (2 1/2) inches in thickness. Excepting, however, from all of the portions of Hutchins Street and Walnut Street hereinabove described work such portions as are required by law to be kept in order or repair by any person or company having railroad tracks thereon; and excepting also from all of the roadway of said portions of said Hutchins Street and Walnut Street, said work already done to the official line and grade.

(2) By constructing hydraulic concrete curbs and gutters of the company having railroad tracks thereon; and excepting also from all of the roadway of said portions of said Hutchins Street and Walnut Street, said work already done to the official line and grade.

(3) By paving the roadway of said portions of Hutchins Street and Walnut Street with a pavement consisting of one and one-half (1 1/2) inches of Warrenite Wearing Surface laid on an asphaltic concrete base two and one-half (2 1/2) inches in thickness. Excepting, however, from all of the portions of Hutchins Street and Walnut Street hereinabove described work such portions as are required by law to be kept in order or repair by any person or company having railroad tracks thereon; and excepting also from all of the roadway of said portions of said Hutchins Street and Walnut Street, said work already done to the official line and grade.

All of said work shall be done in accordance with the plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk, and where certain work proposed to be done on the respective streets, avenues and highways aforementioned is described as being between certain lines, it includes the doing of all such work upon the street intersections and terminations between such lines, unless otherwise shown on the plans; providing, however, that any duplication in such description shall be ignored.

Attention is also called to the Warrenite License Mixture Agreement for California, executed by Warren Brothers Company, the owners and holders of the patents and processes covering the said Warrenite pavement, February 19, 1923, which agreement is on file in the office of the City Clerk of the City of Lodi, and which is hereby expressly referred to for greater certainty.

And, whereas, said contemplated work and improvement, in the opinion of the Board of Trustees, is of more than local or ordinary public benefit, said Board hereby makes the expenses of said work or improvement chargeable upon a district, which district said Board hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the cost and expenses thereof; which said district is bounded and described as follows:-

Commencing at the intersection of the North line of Lodi Avenue in the City of Lodi, California, with a line distant 155 feet West of and parallel to the West line of Lee Avenue in said City; running thence Westerly along the North line of Lodi Avenue to its intersection with the East line of Hutchins Street; thence in a straight line Westerly to the Southeast corner of Lot numbered Eight (8) in Block numbered Eight (8), of Hutchins High School Addition, as said lot and block are shown upon a map entitled "Plat of Hutchins High School Addition to Lodi," filed for record in the office of the County Recorder of San Joaquin County, California, on July 2, 1912, and recorded in Vol. 6 of Maps, at page 27 therein; thence along the South line of said

Lot numbered Eight (8), Westerly 150 feet more or less, to the Southwest corner thereof; thence Northerly on and along the West line of said Lot numbered Eight (8) and its Northerly production, to the Northwest corner of Lot numbered Five (5) in said Block numbered Eight (8), said last named point being distant 210 feet Southerly from the South line of Walnut Street; thence on and along a line parallel to and 210 feet South of the South line of Walnut Street, Westerly to an intersection of said line with a line which is parallel to and distant 132.5 feet West of the West line of Crescent Avenue (formerly known as West Street); thence Northerly on and along the said last mentioned line to a point on said line which is distant

thereon Southerly 314.4 feet from the South line of Oak Street; thence Easterly on and along a line parallel to and distant 314.4 feet Southerly from the South line of Oak Street, to a point distant thereon 150 feet Westerly from the West line of Hutchins Street; thence Northerly on and along a line parallel to and 150 feet West of Hutchins Street, to an intersection of said line with the South line of Lockeford Street; thence Easterly on and along the South line of Lockeford Street to a point thereon distant 155 feet Westerly from the West line of Lee Avenue produced Northerly; thence Southerly on and along a line which is parallel to and distant 155 feet Westerly from the West line of

Lee Avenue produced, to the Southerly line of Locust Street; thence continuing Southerly along a line parallel to and 155 feet West of said Lee Avenue, to an intersection of said line with the South line of the alley extending East and West through the block between Pine and Oak Streets; thence Easterly along said South line of said alley to a point distant thereon 155 feet Westerly from the West line of Lee Avenue; thence Southerly on and along a line parallel to and 155 feet West of the West line of Lee Avenue, to the North line of Lodi Avenue, and the point of beginning. Provided, nevertheless, that the Streets, Avenues and Alleys situated

within said district shall be omitted from any assessment made or levied for paying the costs and expenses of the above mentioned work and improvement to the said Streets, Avenues and Alleys belonging to said City, and being in use for the performance of a public function, to-wit, in use as public Streets, Avenues and Alleys.

And it is further ordered and notice is hereby given that serial bonds to represent unpaid assessments and bear interest at the rate of seven (7) per cent per annum, will be issued hereunder in the manner provided by the Improvement Bond Act of 1915, and Acts Amendatory thereto, the last installment of which bonds shall mature nine years from the 2nd day of July next succeeding nine months from their date.

The City Clerk is hereby directed to post a notice of said work, together with the plans and and specifications therefor, conspicuously for five days on or near the council chamber door, inviting sealed proposals or bids for doing the work ordered. He is also directed to publish three times a notice inviting such proposals, and referring to the specifications posted or on file,

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in The Lodi News, a tri-weekly newspaper published and circulated in said City of Lodi, and hereby designated for that purpose.

<SIGNED>

F. O. HALE

I hereby certify that the foregoing resolution was duly and regularly passed by the Board of Trustees of the City of Lodi, at a regular meeting of said Board held the 9th day of April, A. D. 1923.

Ayes:

Trustees,

Hale, Spooner, Hickok, Mettler
+ Shattuck

Noes:

Trustees,

None

Absent:

Trustees,

None

Attest:

J. F. Beakley
City Clerk of the City of Lodi